

Indian Officials held in Pakistan

*1785. **Shri Supakar:** Will the Prime Minister be pleased to refer to the answer given to Starred Question No. 151 on the 18th July, 1957 and state:

(a) whether Government have since received the report of the judicial enquiry into the treatment meted out to the two Indian officials by Pakistan Police in Lahore on the 7th May, 1957; and

(b) if so, the details of the report?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). No Sir. The Pakistan Government have, however, replied to our official protest.

Shri Supakar: May I know if our Deputy High Commissioner in Lahore has sent any detailed report regarding this judicial inquiry to the Government of India?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The Deputy High Commissioner for India is constantly, almost daily or every other day, writing letters to us. But he does not write a report on other people's reports which are supposed to be confidential.

Shri Supakar: What steps have Government taken to see that such violation of absolute immunity from local criminal jurisdiction is adequately dealt with by our Government?

Shri Jawaharlal Nehru: The first question that arises is what are the facts? Hon. Members presume a certain set of facts. If a certain set of fact is accepted, then the only steps that the Government takes against another are diplomatic steps or in the ultimate analysis, withdrawal of our diplomatic representative. There is no other step that one can take. In the present case, although in our opinion the facts were fairly clear—we have not received a copy of the report of the officer—the letter that the Pakistan Government addressed

us broadly states that the conclusion arrived by the officer in his report is that it is a very regrettable incident, and the fault apparently lay on both sides. It says that the Indian officers did not disclose their identity and hence they were treated in this way. If they had disclosed their identity, the incident would not have happened; that is what the Pakistan Government says. Apparently, it comes out in the report. We have not seen the report. It must be very curious. We were under the impression that they had said who they were right at the beginning.

Pakistan Military Post

*1786. **Shri Harish Chandra Mathur:** Will the Prime Minister be pleased to state:

(a) whether Pakistan Military Post at Ferozpur Head Works, on the otherside of the bridge, is within Indian Territory; and

(b) if so, what are the reasons for permitting Pakistan Military Post to stay within Indian Territory?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes Sir. It is within territory awarded to India under the Radcliffe Award.

(b) Pakistan encroachment in the area occurred immediately after Partition. Demarcation of the boundary in this area, in accordance with the Radcliffe Award, has commenced since 1st October 1956 and meanwhile we have agreed, between the two Prime Ministers, that the existing *status quo* on the western border should not be disturbed pending demarcation of boundary between India and West Pakistan.

Shri Harish Chandra Mathur: May I know whether at the initial stage, the military post was established at the international boundary? If so, how was it that it came to be pushed into Indian territory?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I do not think that is correct. Right from the beginning certain parts there have been occupied either by Pakistan or by India, as the case may be, not wholly in conformity with the Radcliffe Award, partly because of geographical continuity, and stretches of land on the other side of the river. This has happened, and although it has not been in conformity with that Award, pending a settlement of these problems, we have accepted this position.

Shri Harish Chandra Mathur: Is the hon. Prime Minister aware that at the earlier stage when the recovery of abducted persons was taking place, it was more than a mile away from the present situation, that both the military posts were there and exchange used to take place more than a mile away, and that it has subsequently come a mile within Indian territory?

Shri Jawaharlal Nehru: I cannot say from personal knowledge what the position was then, as the hon. Member refers to. But, we are now trying to demarcate the boundary and I hope the correct boundary would be decided.

Dr. Ram Subhag Singh: May I know whether Indian military personnel patrol the Indian territory which has been awarded to India according to the Radcliffe Award or not?

Shri Jawaharlal Nehru: I do not know what the hon. Member wants to know. In the Indian territory, naturally, we have pickets and patrols as Pakistan has its pickets and patrols. But, if, let us say, a mile or two of territory which, according to the Radcliffe Award ought to have been with India is at present in Pakistan, obviously, we do not patrol it. Or, vice versa if some territory which, according to the Radcliffe Award should be with Pakistan but is under our control, obviously Pakistan does not patrol it. It is obvious, the very fact of occupation being with somebody else; you

cannot have Pakistan occupation and Indian control and vice versa.

Shri Gajendra Prasad Sinha: By what time will the demarcation of Indo-Pakistan border be complete?

Shri Jawaharlal Nehru: I do not know. It has been proceeding both in the eastern section and the western section and it takes a very long time. But, I believe, we have been making some progress.

Shri Achar: Is not the Radcliffe Award final and is there anything formally to be done to settle the boundary?

Shri Jawaharlal Nehru: It is final in the sense that most things are final which are not quite final.

Import Licences

*1787. { **Shri V. P. Nayar:**
Shri H. N. Mukerjee:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of Government has been drawn to the Editorial comments in the Economic Weekly of Bombay dated the 27th July, 1957 under the caption "Exportise of Import—Control";

(b) whether the import licences for pressure cookers in C.K.D. condition alleged therein to have been issued contrary to rules in force, have been given for any special reasons; and

(c) if so, what are the special reasons?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Shri V. P. Nayar: May I know whether the licence, the number of which is given in this article, has been given to the firm in question on the basis of any special consideration of being actual users or on other considerations?